REMARKS

We have cancelled claims 2-16 and 18-33 and added new claims 34-43. The new claims should overcome the Examiner's confusion over various terms included in the prior claims. The new claims recite two sets of **pre-programmed** functions, a first set that is selected and controlled through the appliance control panel and a second set that is selected and controlled through data signals provided by a controller. As recited in the claims, the second set of pre-programmed functions specifically cannot be selected or controlled through the control panel. The user is thus provided with extra appliance functionality, i.e., the second set of pre-programmed functions, **without having to program the appliance and/or use a more complicated control panel.**

The current invention differs from the cited Schwarzbacker system, which for extra functionality requires a user to compose a program for the appliance, transmit the program to the appliance, and select the transmitted program using newly assigned, i.e., programmed, capabilities of the knobs and/or buttons of the control panel. Specifically, the Schwarzbacker system includes "an external **programming** unit, namely, a hand **programming** device 51" (Column 3, lines 26-27, emphasis added), through which the user composes the programs and then transmits them to the appliance control. Thereafter, the user selects the transmitted program by activating the particular control panel button that has been assigned to the transmitted program. As stated in Column 3, lines 32-45 of the Schwarzbacker patent:

> "Special cooking programs which are set in the hand pro-
> gramming device 51 can be transmitted by the latter to the
> control ...The running of the determined cooking process
> can be controlled either by the basic control functions which
> are entered by means of the control elements 52 or a deter-
> mined cooking program which is **assigned to a determined
> control element** can be transmitted to the control of the
> cooking device 50 and **started by actuating this control
> element...since the complete cooking program has been**

4

**transmitted to the control by means of the hand pro-
gramming device.**" (emphasis added).

As an example of the programming of the appliance, the Schwarzbacker patent in
Column 4, line 66-Column 5, line 8, states:

> "In order to simplify this complicated setting process, par-
> ticularly when large quantities of the same kind of food are
> to be prepared in large dining facilities, the desired cooking
> program **can be composed, i.e., programmed,** and trans-
> mitted to the control in the cooking device by means of the
> hand programming device, the program which is set in this
> manner being associated **with a determined control ele-
> ment.** For example, if the same kind of fishdish is to be
> prepared, **a program** comprising gentle steaming **is com-
> posed** in the hand programming device." (emphasis added).

The Schwarzbacker patent also describes in Column 5, lines 8-28
how the various buttons of the control panel are associated with cooking
programs that are composed on and transmitted from the hand program-
ming device 51. Specifically, the Schwarzbacker patent states in lines 26-
28 that "many different **programs** can be associated with **buttons** 7 to 12
in the manner described above and can always be called until the next
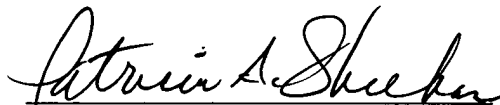change is made." (emphasis added)

The Schwarzbacker patent cites as yet a further example of the
programming of the appliances that "a plurality of cooking devices which
are set up in a large kitchen **can be programmed** in an identical manner
..." (Column 5, lines 38-40, emphasis added). The patent then goes on to
explain how the hand programming device 51 operates, i.e., how "**the in-
dividual programs can be set** and transmitted to the control of the
cooking device." (Column 5, lines 54-55).

5

Thus, the Schwarzbacker patent does not teach or suggest the current invention because, *inter alia*, the Schwarzbacker patent does not teach or suggest a system in which the appliance control panel is used to select and control functions from a pre-programmed first set of functions and a controller is used to provide data signals that select and control functions from a pre-programmed second set of functions that can not be selected or controlled from the control panel, as set forth in independent claims 34 and 42 and the claims that depend therefrom.

The claims, as amended, should now be in form for allowance. We request that the Examiner reconsider the rejections of and objections to the various claims and issue a Notice of Allowance for all pending claims.

Please charge any fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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